



Anisa A. Latif
Associate Director
Federal Regulatory

AT&T Services, Inc.
1120 20th Street, N.W.,
Suite 1000
Washington, D.C. 20036

202.457.3068 Phone
202.457.3071 Fax
al7161@att.com E-mail

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Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby – TW-A325
Washington, D.C. 20554

Re: Ex Parte – In the Matter of the Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers Notice of Proposed Rulemaking, PS Docket No. 11-82

Dear Ms. Dortch:

On September 14, 2011, representatives of AT&T Services, Inc. (AT&T), specifically Joseph Marx – AVP, Federal Regulatory, Jim Bugel – AVP, Public Safety and Homeland Security, William A. Brown – General Attorney, and the undersigned met with Jeff Goldthorp, John Healy, and Gregory Intoccia of the Public Safety and Homeland Security Bureau to discuss the pending Notice of Proposed Rulemaking (NPRM) in the above referenced docket.¹

AT&T met with staff to discuss its comments in the NPRM filed on August 8, 2011. AT&T reiterated its opposition to the quality of service (QoS) thresholds proposed in the NPRM, stating that they would be overly burdensome on carriers for several reasons. First, most providers don't track the QoS metrics proposed or in the manner proposed, which would require retooling in order to operationalize the metric. Second, AT&T was skeptical that it would produce usable outage data as QoS doesn't necessarily translate into blocked calls. AT&T also restated its position that, if rules were adopted to require outage reporting for interconnected VoIP and broadband Internet services, they would need to be clearly understood, based upon reasonable thresholds and more appropriate filing deadlines. AT&T argued in its Comments that based on the Commission's reasons for requiring outage reporting in this case, only the Final Report was justified; however, AT&T conceded that the Commission might find an initial notification useful.² Additionally, FCC

¹ See In the Matter of the Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers, *Notice of Proposed Rulemaking*, PS Docket No. 11-82; FCC 11-74 (May 13, 2011).

² See Comments of AT&T Inc., In the Matter of the Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers, *Notice of Proposed Rulemaking*, PS Docket No. 11-82; FCC 11-74, (*AT&T Comments*) (August 8, 2011), pp. 19-22

staff explored the ways AT&T is presently measuring and using such QoS criteria as latency and packet loss.

Staff and AT&T discussed allowing VoIP and Broadband Internet Service providers to submit reports for VoIP and broadband service outages on a voluntary basis to allow the FCC to determine if the correct information is being collected, as well as to allow providers sufficient time to implement new processes for collection of the data. AT&T believes that a voluntary mechanism should be sufficient to meet the Commission's stated purposes.³

Sincerely,

/s/ Anisa A. Latif

cc: Jeff Goldthorp
John Healy
Gregory Intoccia

³ See AT&T Comments pp. 17-19